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November 3, 2020

Via ECF

Hon. Valerie E. Caproni
United States District Court for the
Southern District of New York
Thurgood Marshall United States Courthouse
40 Foley Square
New York, NY 10007

Re: *In re Commodity Exchange, Inc., Gold Futures and Options*
Trading Litigation, No. 14-md-2548 (VEC)

Dear Judge Caproni:

We write on behalf of The Bank of Nova Scotia, and on behalf of Barclays Bank PLC, Société Générale, and The London Gold Market Fixing Limited (“Defendants”), to respectfully request that the Court seal Defendants’ November 3, 2020 letter and the enclosed appendices, which Defendants are submitting pursuant to leave granted during the October 28, 2020 hearing.

On January 18, 2017, the Court entered the Stipulation and Protective Order (Dkt. No. 208) (the “Protective Order”), which states that “[a]ll Confidential or Highly Confidential Discovery Material filed with the Court, and all portions of pleadings, motions or other papers filed with the Court that disclose such Confidential or Highly Confidential Discovery Material, shall be filed under seal with the Clerk of the Court and kept under seal until further Order of the Court.” The documents described in and attached to Defendants’ November 3, 2020 letter were designated “Confidential” by Plaintiffs.

Paragraph 16 of the Protective Order states that, for documents “subject to a confidentiality designation” included in or attached to a court filing, the “party submitting that filing shall serve counsel for the producing Person or other Person designating the Discovery Material with a copy of the filing at the time the filing under seal is made.” As set out in the Protective Order, Defendants are serving a copy of the November 3, 2020 letter and appendices on Plaintiffs, and to the extent Plaintiffs continue to designate these materials as “Confidential,” will submit a statement to the

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Court within ten business days containing any statements from Plaintiffs on why sealing the redacted material is appropriate.

For the foregoing reasons, we respectfully request that Defendants' November 3, 2020 letter and the enclosed appendices be filed under seal.

Respectfully submitted,

/s/ Stephen Ehrenberg

Stephen Ehrenberg

cc: Counsel of Record (via ECF)